

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

AT&T SERVICES INC.; AT&T MOBILITY
LLC; AND AT&T CORP.,

Defendants,

ERICSSON INC. and
NOKIA OF AMERICA CORPORATION,

Intervenors.

Case No. 2:23-CV-00202-JRG-RSP

(Lead Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC.;
CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS

Defendants,

ERICSSON INC. and
NOKIA OF AMERICA CORPORATION,

Intervenors.

Case No. 2:23-CV-00203-JRG-RSP

(Member Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba VIVATO
TECHNOLOGIES,

Plaintiff,

v.

T-MOBILE USA, INC.,

Defendant,

ERICSSON INC. and
NOKIA OF AMERICA CORPORATION,

Intervenors.

Case No. 2:23-CV-00204-JRG-RSP

(Member Case)

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND DOCKET CONTROL ORDER

Plaintiff XR Communications, LLC, dba Vivato Technologies (“Vivato”), Defendants AT&T Services, Inc., AT&T Mobility LLC, AT&T Corp. (“AT&T”), Verizon Communications, Inc., Cellco Partnership d/b/a Verizon Wireless (“Verizon”), and T-Mobile USA, Inc., (“T-Mobile”) (together, “Defendants”), and Intervenors Ericsson Inc. (“Ericsson”) and Nokia of America Corporation (“Nokia”) (together, “Intervenors”) (collectively, the “Parties”) file this Joint Motion to Amend Docket Control Order and would show the Court as follows:

Pursuant to the Court’s Docket Control Order (Dkt. No. 40), the deadline for the Parties to comply with P.R. 4-3 (Joint Claim Construction Statement) is June 5, 2024. At this time, the Parties request that the Court extend the deadline for the Parties to comply with P.R. 4-3 (Joint Claim Construction Statement) from June 5, 2024, up to and including June 11, 2024.

The Parties represent that good cause exists for this brief extension. The Parties are diligently meeting and conferring to narrow their disputed claim construction terms.

This brief one-week extension will ensure that the Parties have adequate time to continue meeting and conferring to narrow the disputed claim construction terms and to finalize and file the Parties' Joint Claim Construction Statement in compliance with P.R. 4-3.

The Parties represent that this extension is not sought for the purposes of delay but rather so that justice may be served. The Parties have met and conferred and are jointly seeking the relief sought in this Motion.

Accordingly, the Parties respectfully request that the Court grant this Joint Motion and enter an order extending the deadline for the Parties to comply with P.R. 4-3 (Joint Claim Construction Statement) from June 5, 2024, up to and including June 11, 2024.

Dated: May 30, 2024

Respectfully submitted,

/s/ James N. Pickens

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CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Parties met and conferred to discuss the substantive relief sought in this Motion pursuant to Local Rule CV-7(h). The Parties are jointly seeking the relief sought in this Motion.

/s/ Melissa R. Smith

Melissa R. Smith

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on May 31, 2024, all counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith

Melissa R. Smith